

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

EARNEST LEE ARRINGTON,

Plaintiff,

VS.

GOVERNOR BOB RILEY, *et al.*,

Defendants.

2:05-cv-00147-JHH-PWG

## MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on November 18, 2005, recommending that this action be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, this action is due to be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). A Final Judgment will be entered.

**DONE** this the 14th day of December, 2005.

SENIOR UNITED STATES DISTRICT JUDGE